

## REMARKS/ARGUMENTS

In the Office Action mailed June 19, 2007, claims 1-21, 23-28, and 30 were rejected. In response, Applicant hereby requests reconsideration of the application in view of the proposed amendments and the below-provided remarks. Applicant respectfully submits that the proposed amendments place the claims in condition for allowance in better condition for appeal.

For reference, proposed amendments are presented for claims 1, 3-7, 9, 10, 12, 15, 18, 19, and 24. In particular, the proposed amendment to claim 1 recites subject matter related to the limitations of claim 8, 11, 16, and 27, which are now canceled. The proposed amendments to claims 10, 12, 15, 19, and 24 also recite subject matter related to the limitations of claims 8, 11, 16, and 27. These proposed amendments are supported, for example, by claims 8, 11, 16, and 27 of the originally filed specification. The proposed amendment to claim 1 also addresses the grammar of claim 1 as a single sentence. The proposed amendments to claims 3-7 are presented to clarify the language of the claims. The proposed amendment to claim 7 also clarifies the language of the claim regarding transferring accepted data transaction commands from the first library manager to the second library manager. This proposed amendment is supported, for example, by the subject matter described at page 10, lines 15-17, of the originally filed specification. The proposed amendments to claims 9 and 18 clarify the language of the claims regarding canceling the library manager transition. These proposed amendments are supported, for example, by the subject matter described at page 14, lines 3-12, of the originally filed specification.

Additionally, new claims 31-36 are presented. Claims 31, 34, and 35 are supported, for example, by the language of claims 22 and 29, which were previously canceled. Claims 32, 33, and 36 are supported, for example, by the language of claim 7 and the subject matter described at page 10, lines 15-17, of the originally filed specification.

### Claim Rejections under 35 U.S.C. § 103

Claims 1, 4-16, 19, 23-24, and 27-28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Carlson et al. (U.S. Pat. No. 5,544,304, hereinafter Carlson) in view of Meyer et al. (U.S. Pat. Pub. No. 2002/0188711, hereinafter Meyer). Additionally, claims 2 and 3 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Carlson in view of Meyer and further in view Carlson et al. (U.S. Pat. Pub. No. 2003/0217078, hereinafter Carlson PGPUB). Additionally, claims 17, 18, 20, 21, 25, and 26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Carlson in view of Meyer and further in view Matsunami et al. (U.S. Pat. No. 6,006,308, hereinafter Matsunami). However, Applicant respectfully submits that these claims are patentable over Carlson, Meyer, Carlson PGPUB, and Matsunami for the reasons provided below.

#### Independent Claim 1

Applicant respectfully submits that claim 1 is patentable over the combination of Carlson and Meyer because the combination of cited references does not disclose all of the limitations of the claim. Claim 1 recites a limitation related to rejecting data transaction commands, except for a specified data transaction command type, during a transition of library management functions from a first library manager to a second library manager.

In contrast to the language of claim 1, the cited references do not teach or suggest all of the limitations of the claim. In particular, the cited references do not teach rejecting data transaction commands, except for a specified data transaction command type. Although Carlson describes redundant library managers, the standby library manager unit is only brought online to process commands in response to a failure of the active library manager unit. Carlson, col. 1, line 61, to col. 2, line 9. In other words, the transition from the active library management unit to the standby library manager unit occurs when the active library manager unit fails and can no longer process commands or transmit responses to the command source. Since this transition depends on the failure of the active library manager unit, the active library manager unit is no longer available to process any commands, without exception for a specified data transaction command type.

Thus, Carlson describes no exceptions to the inability of the active library manager unit to process commands after it fails. Therefore, the combination of cited references does not teach or suggest all of the limitations of the claim because Carlson does not teach rejecting data transaction commands, except for a specified data transaction command type. Accordingly, Applicant submits claim 1 is patentable over the combination of Carlson and Meyer and respectfully requests that the rejection of claim 1 under 35 U.S.C. § 103(a) be withdrawn.

#### Independent Claims 10, 12, 15, 19, and 24

Applicant respectfully submits that independent claims 10, 12, 15, 19, and 24 are also patentable over the combination of cited references at least for the reasons stated above in regard to the rejection of independent claim 1. Each of claims 10, 12, 15, 19, and 24 recites at least one limitation related to rejecting data transaction commands, except for a specified data transaction command type. Thus, although the language of these claims differs from the language of claim 1 and the scope of these claims should be interpreted independently of claim 1, Applicant respectfully asserts that the remarks provided above in regard to the rejection of claim 1 also apply to the rejections of claims 10, 12, 15, 19, and 24. Accordingly, Applicant respectfully submits claims 10, 12, 15, 19, and 24 are patentable over the combination of cited references and requests that the rejections of these claims under 35 U.S.C. § 103(a) be withdrawn.

#### Dependent Claims

Given that claims 2-7, 9, 13, 17, 18, 20, 21, 23, 25, 26, 28, and 30-36 depend from and incorporate all of the limitations of the corresponding independent claims 1, 10, 12, 15, 19, and 24, which are patentable over the cited references, Applicant respectfully submits that dependent claims 2-7, 9, 13, 17, 18, 20, 21, 23, 25, 26, 28, and 30-36 are also patentable over the cited references based on allowable base claims. Additionally, each of claims 2-7, 9, 13, 17, 18, 20, 21, 23, 25, 26, 28, and 30-36 may be allowable for further reasons, as described below. Accordingly, Applicant requests that the rejections of claims 2-7, 9, 13, 17, 18, 20, 21, 23, 25, 26, 28, and 30-36 under 35 U.S.C. § 103(a) be withdrawn.

In regard to claims 7, 32, 33, and 36, Applicant respectfully submits that these claims are patentable over the cited references because the combination of cited references does not teach or suggest all of the limitations of the claim. Claim 7 recites “the control module is configured to transfer accepted data transaction commands from the first library manager to the second library manager during the transition of library management functions from the first library manager to the second library manager” (emphasis added). Claims 32, 33, and 36 recite limitations related to similar subject matter. In contrast, the system of Carlson (which was cited as purportedly teaching this limitation) does not transfer accepted data transaction commands from the active library manager unit to the standby library manager unit for at least two reasons. As explained above, the transition from the active library manager unit to the standby library manager unit occurs upon failure of the active library manager unit. Since the active library manager unit fails, the active library manager unit is no longer capable of processing commands or transferring commands to the standby library manager unit. Moreover, there is no need to transfer data transaction commands from the active library manager unit to the standby library manager unit because the standby library manager unit already receives a copy of the original command. In other words, a copy of the original command is sent directly to the standby library manager unit, so there is no reason for the active library manager unit to send a duplicate copy of the command already stored on the standby library manager unit. Therefore, the combination of cited references does not teach or suggest all of the limitations of the claims because Carlson does not teach transferring accepted data transaction commands from a first library manager to a second library manager, as recited in the claims.

In regard to claims 9 and 18, Applicant respectfully submits that these claims are patentable over the cited references because the combination of cited references does not teach or suggest all of the limitations of the claim. Claim 9 recites “the control module is configured to cancel the library manager transition to allow the first library manager to accept new data transaction commands” (emphasis added). Claim 18 recites a limitation related to similar subject matter. In contrast, the system of Carlson (which was cited as purportedly teaching this limitation) does not cancel a library manager transition because the library manager transition of Carlson occurs in response to a failure of the active

library manager unit, as explained above. If the transition from the active library manager unit to the standby library manager unit were canceled, then the system of Carlson would be left without an active library manager, and no commands would be processed. This result would be inconsistent with the objective of providing a fault tolerant, redundant processing system. Therefore, the combination of cited references does not teach or suggest all of the limitations of the claims because Carlson does not teach canceling the library manager transition, as recited in the claims.

### CONCLUSION

Applicant respectfully requests reconsideration of the claims in view of the proposed amendments and remarks made herein. A notice of allowance is earnestly solicited. If the Examiner believes a telephone interview would expedite the prosecution of this application, the Examiner is invited to contact the attorney listed below

Respectfully submitted,

Date: September 19, 2007

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